

ORDINANCE NO. 43-14

2.

**AN ORDINANCE CLOSING AND VACATING AND ABANDONING
A PORTION OF AN ALLEY RIGHT-OF-WAY LOCATED IN EAST HEIGHTS
BLOCK 2 AND BLOCK 3, AN ADDITION TO THE CITY OF FORT SMITH, ARKANSAS**

WHEREAS, a petition was duly filed with the Board of Directors of the City of Fort Smith, Arkansas, July 16, 2014, asking the Board of Directors to vacate and abandon an alley right-of-way located in East Heights, Block 2 and Block 3, an addition to the City of Fort Smith, Arkansas, more particularly described as follows:

A 20' wide alley located between East Heights, Block 2, Lot 5 and East Heights, Block 3, Lot 1, an addition to the City of Fort Smith, Sebastian County, Arkansas, according to the plat filed of record March 17, 1906.

WHEREAS, after notice as required by law, the Board of Directors has at the time and place mentioned in the notice duly published as required by law, heard all persons as desiring to be heard on the questions, and has ascertained that the said alley right-of-way as described above has heretofore been dedicated to the public use as an alley right-of-way and at this time is no longer required for the corporate purposes, and that said alley right-of-way is of no practical purpose or general purpose to the citizens of Fort Smith and it is in the best interest of the citizens of Fort Smith that the alley right-of-way be closed; and that the public interest and welfare will not be adversely affected by the abandonment of the said alley.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF DIRECTORS OF THE CITY OF FORT SMITH, ARKANSAS, THAT:

SECTION 1: The City of Fort Smith hereby releases, vacates and abandons all of its rights, title and

interest, together with the right of the public generally, in and to the alley designated as follows:

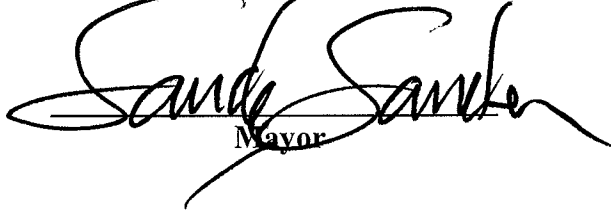
A 20' wide alley located between East Heights, Block 2, Lot 5 and East Heights, Block 3, Lot 1, an addition to the City of Fort Smith, Sebastian County, Arkansas, according to the plat filed of record March 17, 1906.

SECTION 2: A copy of this Ordinance duly certified by the City Clerk shall be filed in the Office of the County for the Fort Smith District of Sebastian County, Arkansas, and recorded in the deed records of said county.

SECTION 3: This Ordinance shall take effect and be in effect from and after its passage.

PASSED AND APPROVED THIS 19th DAY OF AUGUST 2014.

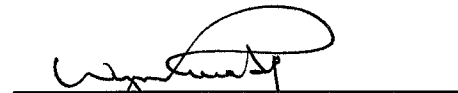
APPROVED:


Mayor

ATTEST:


City Clerk

Approved as to form:


Publish One Time